

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

JOSE E. PEREZ VALENCIA :
: :
Plaintiff, :
: :
v. : Civil Action No. 1:15-cv-260 GBL/IDD
: :
JANG-WON RESTAURANT, INC., et al. :
: :
Defendants. :
: :

ANSWER AND AFFIRMATIVE DEFENSES

Defendants Jang-Won Restaurant, Inc. (“Jang-Won”) and Christopher Choi (“Choi”), (collectively, “Defendants”), through undersigned counsel, hereby responds to Plaintiff Jose E. Perez Valencia’s (“Plaintiff”) Complaint stating as follows:

INTRODUCTION

Admitted that Plaintiff worked for Jang-Won as a cook. The remaining allegations in the Introduction are denied.

JURISDICTION & VENUE

1. Admitted.
2. Admitted.

PARTIES

3. Admitted.
4. Admitted.
5. Denied.
6. Admitted with regard to Jang-Won. Denied with regard to Choi.

7. Admitted with regard to Jang-Won. Denied with regard to Choi.
8. Admitted with regard to Jang-Won. Denied with regard to Choi.
9. Admitted with regard to Jang-Won. Denied with regard to Choi.
10. Denied.
11. Denied.
12. Denied.
13. Denied.
14. Denied.
15. As there are no factual allegations and only a statement of law, no response is required.
16. Denied.

FACTS

17. Admitted that Plaintiff was employed by Jang-Won. The remaining allegations of paragraph 17 are denied.
18. Admitted that Plaintiff received \$560.00 per week. The remaining allegations of paragraph 18 are denied.
19. Denied.
20. Denied.
21. Denied.
22. As there are no factual allegations and only a statement of law, no response is required.
23. Denied that Jang-Won failed to post the required statutory FLSA notice. Denied that Choi had any requirement to post said notice.

24. As there are no factual allegations and only a statement of law, no response is required.

25. Admitted.

26. Denied.

**COUNT I
(FLSA)**

27. Defendants incorporate by reference herein their responses to paragraphs 1 through 26 above.

28. Admitted as to Jang-Won. Denied as to Choi.

29. Denied.

30. Denied.

31. Denied.

WHEREFORE, Defendants deny that Plaintiff is entitled to any relief.

AFFIRMATIVE DEFENSES

1. Defendant Jang-Won acted in good faith in its payment practices with regard to Plaintiff.

Date: April 6, 2015

Respectfully submitted,

**JANG-WON RESTAURANT, INC.
CHRISTOPHER CHOI, DEFENDANTS**

/s/
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CERTIFICATE OF SERVICE

I certify that on this 6th day of April, 2015, a true and correct copy of the foregoing ANSWER AND AFFIRMATIVE DEFENSES was filed with the Court using the CM/ECF system, which will automatically serve a copy to the following counsel of record:

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